

Application No. 10/614,437

REMARKS

The Examiner's Office Action has been studied carefully. Claims 1-6 stand rejected under 35 U.S.C. § 102(b).

Claims 1-6 remain in this application.

The specification has been amended in paragraph [0028] to correct two typographical errors.

Argument

The § 102(b) Rejection

Claims 1-6 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Seipser. More specifically, the Examiner has indicated that the device of Seipser can be used to perform the claimed method.

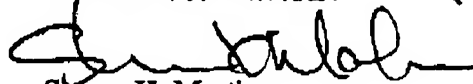
Seipser discloses a method of surgically accessing the interior of the eye in order to perform a procedure, in particular, replacement of a damaged lens. Seipser also discloses a surgical knife designed to facilitate the disclosed method.

The undersigned does not understand the rejection. Seipser does not discuss glaucoma or the meridional fibers of the eye. It may be possible to employ the surgical knife of Seipser in performance of the claimed process of the present invention, that being to resect the meridional fibers in order to treat primary glaucoma caused by spasming of the meridional fibers. It may also be possible to employ the surgical method of Seipser to access the interior of the eye to perform the claimed process of the present invention. However, Seipser does not disclose the claimed process of the present invention.

During a telephone discussion on October 18, 2004, the Examiner made an observation that the undersigned does not understand. The Examiner said that the claims do not recite structure. The claims are process claims and a process consists of one or more steps performed upon a specified subject to produce a physical result. The claimed process is performed on the meridional fibers of the eye, which is the subject, and produces the result that the meridional fibers are resected.

In view of the fact that Claims 1-6 recites a process on a structure and the cited reference does not disclose a process that operates on meridional fibers of the eye, allowance of these claims is respectfully solicited.

Respectfully submitted,
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